UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2003*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-42* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *16 October 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some *   c)☐ None of:
       1.☐ Certified copies of the priority documents have been received.
       2.☐ Certified copies of the priority documents have been received in Application No. _____.
       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :April 22, 2004 and December 17, 2007.

DETAILED ACTION

Introduction

1.   This **NON-FINAL** office action is in response to applicant's submission filed on October

16, 2003. Currently, claims 1-42 are pending.

Information Disclosure Statement

2.   The information disclosure statements (IDS) submitted on April 22, 2004 and December

17, 2007 have been considered by the examiner.

Drawings

3.   **The drawings are objected to** as failing to comply with 37 CFR 1.84(p)(4) because

reference character "222" in Figure 2 has been used to designate both "About iTracker" link

representation and welcome message representation. Additionally, the reference character

"1408" in Figure 14 has been used to designate both "Sponsor" field representation and "Search"

button representation.

4.   **The drawings are objected to** as failing to comply with 37 CFR 1.84(p)(5) because they

include the following reference character(s) not mentioned in the description: "1306" in Figure 9,

which should be changed to "906".

5.   **The drawings are objected to** as failing to comply with 37 CFR 1.84(p)(5) because they

do not include the following reference sign(s) mentioned in the description: "2112", 2118",

"2120", "2126", "2128", "2130", "2132", "2134", and "2136" from Figure 21. Additionally,

"2216" from Figure 22.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

this Office action to avoid abandonment of the application. Any amended replacement drawing

sheet should include all of the figures appearing on the immediate prior version of the sheet,

even if only one figure is being amended. Each drawing sheet submitted after the filing date of

an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The

objection to the drawings will not be held in abeyance.

Specification

6.   **The disclosure is objected to** because of the following informalities: On p. 11, lines 11,

"212, 214, 216" should be changed to "214, 216, 218". On p. 28, lines 5, the reference character

2212 has been used to denote two different representations. Appropriate correction is required.

7.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed. Examiner suggests "System and

Method for Managing Project Related Issues."

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9.   **Claims 19 and 32 are rejected under 35 U.S.C. 112, first paragraph**, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, the step of a responsible user sending a request to close the issue to a system administrator associated with the database is never disclosed. Applicant only disclosed that different users have different levels of access, and so it might require an administrator to close the issue. Therefore, claims 19 and 32 are interpreted as:

The method of claim 18 (or 31), wherein the issue is only able to be closed by a system administrator associated with the database.

10.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11.   **Claims 1-42 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 17, and 30, "inefficient" is a relative term, which renders the claim indefinite. The term is not defined by the claims, the specification does not provide a standard

for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably

apprised of the scope of the invention.

Regarding claim 1, "a format associated with the graphical user interface" renders the

claim indefinite. The term is not defined by the claims, the specification does not provide a

standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be

reasonably apprised of the scope of the invention.

Regarding claim 3, it is unclear what "a responsible user" is responsible for.

Additionally, are "a responsible use" and "an issue" meant to be part of "a plurality of users

responsible" and "at least one issue" from claim 1, respectively?

Regarding claim 4, is "an issue" referring to "an issue" from claim 3 or is it a new issue?

Regarding claim 5, is "at least one topic" referring to "a topic" from claim 1, or is it a

new topic?

Regarding claim 6, is "at least one issue" referring to "at least one issue" from claim 1,

or is it a new at least one issue?

Regarding claim 7, "the issue" should be changed to "said at least one issue" for proper

antecedent basis and to be consistent.

Regarding claim 11, is "a topic" referring to "at least one topic" from claim 5, or a new

topic?

Regarding claim 12, is "a plurality of users" referring to "a plurality of users" from

claim 1, or a new plurality of users?

Regarding claim 14, "the closed issue" lacks antecedent basis. It should be changed to

"the closed issue_s_."

Are "issues" and "a responsible user" referring to "at least one issue" and "a plurality of users responsible" from claim 1, respectively?

Regarding claims 17 and 30, "standardized format" renders the claim indefinite. The term is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Regarding claims 20 and 33, is "an issue description" a description of "an issue" from claims 17 and 30?

Regarding claims 22 and 35, is "a step description" a description of "at least one step" from claims 17 and 30?

Regarding claims 23 and 36, is "a user" from the providing step the same "a user" from the receiving step?

Regarding claims 25 and 38, "related to" should be changed to "associated with" to be consistent with the language of claims 17 and 30.

Is "all issues" in the providing step the same "all issues" from the receiving step?

In the providing step, "to the user" should be added so it is clear who all the issues are being provided to and to be consistent with the language of claim 23 and 36.

Regarding claims 26 and 39, are "all issues" and "a project" referring to "all issues" and "the project" from claims 25 and 38?

Regarding claims 27 and 40, is "an issue" referring to "an issue" from claims 17 and 30, or is it a new issue?

Regarding claims 28 and 41, is "a project referring to "the project" from claims 17 and 30, or is it a new project?

Regarding claims 29 and 42, is "an issue" referring to "an issue" from claims 27 and 40, or is it a new issue?

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

13.   **Claims 1-42 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Flam (US

7,266,764) in view of Lofton (US 2003/0154116 A1).

Regarding claim 1, Flam teaches:

An issue tracking system (col. 4, lines 19-21), comprising:

a centralized server (col. 4, lines 29-31, standard computer is acting as a server) operable

to transmit a graphical user interface (col. 6, lines 24-26) for tracking project issues (col. 4, lines

19-21) over a network (col. 4, lines 29-30, Internet is a network);

a database coupled to the centralized server (col. 4, lines 29-31) operable to provide the

graphical user interface to the centralized server (col. 6, lines 24-26), the database being further

operable to track at least one issue related to a topic (col. 5, lines 35-36, the complaint is an

issue, customer service is a topic), to provide access through the centralized server to a plurality

of users responsible for resolving said at least one issue (col. 5, lines 36-43, customer complaint

specialist and customer complaint specialist's supervisor are plurality of users responsible for

resolving the issue).

Flam does not teach to provide a storage option for a user to upload data formats which

the user determines would be inefficient to manually enter using a format associated with the

graphical user interface.

Lofton teaches to provide a storage option for a user to upload data formats which the user determines would be inefficient to manually enter using a format associated with the graphical user interface (par. 112, lines 1-15, link data are attachments, which are uploaded and in a different data format than the format associated with the graphical user interface).

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

Regarding claim 2, official notice is given that wherein the server is operable to communicate using a hypertext markup language was a matter of common knowledge to one skilled in the art at the time of applicant's invention. HTML and its application to servers has been in the public domain since the early 90's.

It would have been obvious to combine the use of HTML with Flam's invention motivated by the fact that Flam's invention teaches using the Internet as the network and that the internet is primarily composed of HTML documents.

Regarding claim 3, Flam teaches wherein the centralized server is further operable to notify a responsible user when an issue is updated (col. 5, lines 43-45).

Regarding claim 4, Flam teaches wherein the centralized server is further operable to notify a responsible user via electronic mail when an issue is updated (col. 5, lines 43-45).

Regarding claim 5, Flam teaches wherein the database has a table devoted to keeping track of at least one topic (col. 7, lines 24-26 (project is a topic), col. 10, Project Table 831 is a table for tracking a topic).

Regarding claim 6, Flam teaches wherein the database has a table devoted to keeping track of at least one issue associated with said at least one topic (col. 5, lines 18-25, col. 9, PR Table 833 is a table devoted to keeping track of an issue (record is an issue) associated with a topic (note the project_id)).

Regarding claim 7, Flam teaches wherein each of said at least one issue comprises a description of the issue (col. 9, PR Table 833, all attributes are the description, particularly the name data field), a status associated with said at least one issue (col. 9, PR Table 833, lines 50-52), and a sponsor associated with said at least one issue (col. 9, PR Table 833, lines 56-58).

Regarding claim 8, Flam teaches wherein each of said at least one issue comprises a priority rating associated with said at least one issue (col. 9, PR Table 833, col. 10, lines 13-15).

Regarding claim 9, Flam teaches wherein the database has a table devoted to keeping track of at least one step associated with said at least one issue (col. 5, lines 18-25, col. 12, PR_activity Table 839, activities are steps).

Regarding claim 10, Flam teaches wherein each of said at least one step associated with said at least one issue comprises a description of a step related to the resolution of said at least one issue (col. 12, PR_activity Table 839, col. 12, lines 49-50).

Regarding claim 11, Flam teaches wherein the database also maintains a list of persons responsible for a topic (col. 9, lines 56-60, col. 35, Project_member Table).

Regarding claim 12, Flam teaches a network operable to transmit information stored in the database to a plurality of users (col. 4, lines 29-31).

Regarding claim 13, Flam teaches a personal computer coupled to the network and having a browser operable to view the information received from the database via the network (col. 4, lines 29-31).

Regarding claim 14, Flam teaches wherein the database is further operable to store issues that have been closed by a responsible user, and transmit information about the closed issue upon receiving a request for the information (col. 9, PR Table 833, lines 52-53, 63-64, col. 7, lines 34-37).

Regarding claim 15, Flam does not teach wherein the storage option is used for uploading a legacy spreadsheet file.

Lofton teaches wherein the storage option is used for uploading a file (par. 112, lines 1-15).

While Lofton does not explicitly teach wherein the file being uploaded is a legacy spreadsheet file, official notice is given that this is considered non-functional descriptive material, as it does not affect the composition of the system or any of the results produced by the system. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See In re Gulack, 703 F.2d 1381, 1385 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579 (Fed. Cir. 1994).

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function

that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

Regarding claim 16, Flam does not teach wherein the storage option is used for uploading a legacy database file.

Lofton teaches wherein the storage option is used for uploading a file (par. 112, lines 1-15).

While Lofton does not explicitly teach wherein the file being uploaded is a legacy database file, official notice is given that this is considered non-functional descriptive material, as it does not affect the composition of the system or any of the results produced by the system. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

Regarding claim 17, Flam teaches:

A method of tracking project issues (col. 4, lines 19-21), comprising the steps of:

storing a project in a standardized format on a centralized database (col. 4, lines 25-29, col. 10, Project Table 831);

adding an issue associated with the project to the centralized database (col. 7, lines 24-26, records are issues, col. 9, PR Table 833);

and enabling users to add at least one step taken to resolve the issue to the centralized database (col. 5, lines 18-25, col. 12, PR_activity Table 839, activities are steps).

Flam does not teach to providing an option to a user to upload a data file which is in a data format which the user determines would be inefficient to convert to the standardized format.

Lofton teaches providing an option to a user to upload a data file which is in a data format which the user determines would be inefficient to convert to the standardized format (par. 112, lines 1-15, link data are attachments, which are uploaded and in a different data format than the format associated with the graphical user interface).

All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Flam, but rather, teaches a function that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the teaching that Flam's invention already contains a storage option, the database.

Regarding claim 18, Flam teaches closing the issue upon resolution (col. 9, lines 53-54).

Regarding claim 19, Flam teaches wherein the issue is only able to be closed by a system administrator associated with the database (col. 6, lines 16-23).

Regarding claim 20, Flam teaches adding an issue description to the centralized database (col. 9, PR Table 833, all attributes are the description, particularly the name data field).

Regarding claim 21, Flam teaches wherein the issue description includes a status (col. 9, PR Table 833, lines 50-52), a priority rating (col. 9, PR Table 833, col. 10, lines 13-15), and a sponsor (col. 9, PR Table 833, lines 56-58).

Regarding claim 22, Flam teaches adding a step description to the centralized database (col. 5, lines 18-25, col. 12, PR_activity Table 839, activities are steps, col. 12, PR_activity Table 839, col. 12, lines 49-50).

Regarding claim 23, Flam teaches:

receiving a request from a user for the issue and said at least one step; and

providing the issue and said at least one step to a user (col. 7, lines 34-37, PR_activity Table 839 works the same way, by querying the pr_id).

Regarding claim 24, Flam teaches wherein the issue and said at least one step are provided using hypertext transfer protocol via a network (col. 4, lines 34-40).

Regarding claim 25, Flam teaches:

receiving a request from the user for all issues related to the project; and

providing all issues associated with the project (col. 7, lines 34-37).

Regarding claim 26, Flam teaches providing all issues associated with a project in a user sortable format (col. 7, lines 34-37) based on an issue number associated with each issue (col. 9, PR Table 833, lines 41-43), a status associated with each issue (col. 9, PR Table 833, lines 50-52), a priority rating associated with each issue (col. 9, PR Table 833, col. 10, lines 13-15), a classification associated with each issue (col. 9, PR Table 833, col. 10, lines 6-9, category type is

a classification, lines 15-17, severity type is a classification), and a sponsor associated with each issue (col. 9, PR Table 833, lines 56-58).

Regarding claim 27, Flam teaches:

receiving a request from a user to add a step to an issue (col. 12, PR_activity Table 839, lines 52-53, col. 6, lines 26-33);

adding the step to the centralized database (col. 5, lines 18-25, col. 12, PR_activity Table 839, activities are steps); and

linking the step to the issue in the centralized database (col. 12, PR_activity Table 839, note the pr_id).

Regarding claim 28, Flam teaches storing a list comprising a plurality of responsible users for a project (col. 9, lines 56-60, col. 35, Project_member Table).

Regarding claim 29, Flam teaches notifying the plurality of responsible users when an issue has been updated or closed (col. 9, PR Table 833, date_updated, lines 52-53, 60-65, col. 7, lines 34-37, col. 5, lines 35-56 provides an example in which an email notifies a supervisor when the issue is updated).

Regarding claims 30-42, they are rejected using the same art and rationale used above for rejecting claims 17-29. This is because claims 30-42 claim a computer readable memory performing the method of claims 17-29.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JAIME F. CARDENAS NAVIA whose telephone number is

(571)270-1525. The examiner can normally be reached on Mon-Fri, 7:30AM - 5:00PM EST, Alt

Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thu Nguyen can be reached on (571) 272-6967. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 10, 2008

/JAIME CARDENAS-NAVIA/
Examiner, Art Unit 4182

/Thu Nguyen/
Supervisory Patent Examiner, Art Unit 4182